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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,352	03/22/2004	Jae-Ryong Park	1572.1205	9008

21171 7590 07/10/2007
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EXAMINER

ALEXANDER, REGINALD

ART UNIT PAPER NUMBER

1761

MAIL DATE DELIVERY MODE

07/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/805,352

Applicant(s)

PARK ET AL.

Examiner

Reginald L. Alexander

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-9 and 11-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5-9 and 11-13 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-9 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark in view of Kim et al.

There is disclosed in Clark an oven having a main body 12, 14, 16, 18, the oven comprising: a rear panel 30 detachably placed inside the main body; side panels 28 detachably connected to opposite sides of the rear panel; an upper heater 42 and a lower heater 52 disposed at an upper panel 34 and a lower panel 36 of the oven, the upper heater providing a downwardly sloped protrusion in the upper panel; and a ceramic material coating 32, 38 on the surface of the oven panels.

Coleman discloses the use of an upper downwardly sloped heater 6 and lower heater 7 arranged within a heating oven.

Kim discloses an upper heater 41 which can be sloped downwardly.

It would have been obvious to one skilled in the art to substitute the heater arrangement taught in Clark with that taught in Kim, in order to enhance the heating ability of the oven.

In regards to the recited use of the device as a bread maker, there is provided no structure in the claims to define the device as such.

Claims 1, 5, 6, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedenberg '009 in view of Clark.

There is disclosed in Hedenberg a bread maker, comprising: a main body 2; an oven (see fig. 2) having side walls; a door 10; an upper sloped heater 20 and lower heater 18; a baking tray 25; and baking tray rails 34 connected to a lower portion of the oven side walls.

Clark, as discussed in the rejection above, discloses the use of rear and side oven panels having a ceramic coating, as well as an upper panel (upper bending part) and lower panel (lower bending part) attached to an upper end and lower end of the rear panel.

It would have been obvious to one skilled in the art to provide a ceramic coating on the oven side walls of Hedenberg as taught by Clark, in order to protect the surface of the walls.

It would have been obvious to one skilled in the art to provide the oven of Hedenberg with rear, upper and lower detachable walls in addition to the side walls as taught by Clark, for the purpose of providing a complete enclosed oven chamber having good heat reflecting capabilities. Additionally, the walls of the oven will provide protection from heat for the surrounding elements within the main body of the bread maker.

Allowable Subject Matter

Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 19 April 2007 have been fully considered but they are not persuasive. Applicant argues that there is no teaching in the Clark reference of the sidewalls and back wall being detachably placed or connected in the main body.

A view of the Clark reference leads one to believe that the sidewalls 28 and back wall 30 are panels which are placed within the main body. If the panels are placed within the body then they can be detached (removed) from the main body by some means. Applicant has provided no specific structure which allow for the detachment of the walls or attachment within the main body. A general statement that something is detachably placed does not provide a defined structural limitation.

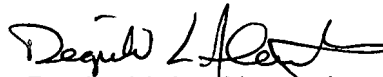
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald L. Alexander whose telephone number is 571-272-1395. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks can be reached on 571-272-1401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rla
28 June 2007


Reginald L. Alexander
Primary Examiner
Art Unit 1761